EXHIBIT G

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GEORGE VANGELAKOS, IAN KING, JOSEPH KORONAKIS, AND BARRY WAYNE, Individually and on Behalf of All Others Similarly Situated,	§	
Plaintiffs,	§	Case No. 13 CV 6574
vs.	§	
WELLS FARGO BANK, N.A., WELLS FARGO & COMPANY, WFC HOLDINGS CORPORATION, WACHOVIA CORPORATION, AND WACHOVIA BANK, N.A.,	§	
Defendants.	§	

PLAINTIFF BARRY WAYNE'S RESPONSES AND OBJECTIONS TO DEFENDANT WELLS FARGO BANK, N.A.'S FIRST REQUEST FOR PRODUCTION

Plaintiff Barry Wayne serves these objections and responses to Defendant Wells Fargo Bank, N.A.'s First Request for Production as follows:

OBJECTIONS TO INSTRUCTIONS

Plaintiff objects to Instruction Nos. I-1, I-4, I-10 and I-11 and II to the extent they seek to impose requirements beyond the proper form and scope of the Federal Rules of Civil Procedure governing discovery. Plaintiff will respond to said discovery pursuant to the common and acceptable meanings of any terms used therein and/or in accordance with the Federal Rules of Civil Procedure.

PLAINTIFF BARRY WAYNE'S RESPONSES AND OBJECTIONS TO DEFENDANT WELLS FARGO BANK, N.A.'S FIRST REQUEST FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1.:

Any and all documents you have provided to or received from any expert witness, consultant, investigator, or other agent, and any report or document prepared, authored, or drafted by such expert witness, consultant, or investigator, concerning your allegations against Defendants.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff further objects to the foregoing request to the extent it seeks information about and/or from a consulting-only expert that is privileged and therefore not discoverable.

Plaintiff further objects to the foregoing request because it impermissibly seeks draft reports and privileged communications with testifying experts.

With regard to reports of designated testifying experts, Plaintiff will supplement when they designate experts in accordance with any docket control order entered in the case or as otherwise required by the Federal Rules of Civil Procedure.

REQUEST FOR PRODUCTION NO. 2.:

Any and all resumes or curricula vitae prepared by or for any expert whom you expect to call as a witness at trial, or for any expert whose opinions, impressions, or work product have been reviewed by a testifying expert.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff further objects to the foregoing request to the extent it seeks information about and/or from a consulting-only expert that is privileged and therefore not discoverable.

Plaintiff further objects to the foregoing request because it impermissibly seeks draft reports and privileged communications with testifying experts.

With regard to reports of designated testifying experts, Plaintiff will supplement when they designate experts in accordance with any docket control order entered in the case or as otherwise required by the Federal Rules of Civil Procedure.

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff further objects to the foregoing request to the extent it seeks information about and/or from a consulting-only expert that is privileged and therefore not discoverable.

Plaintiff further objects to the foregoing request because it impermissibly seeks draft reports and privileged communications with testifying experts.

With regard to reports of designated testifying experts, Plaintiff will supplement when they designate experts in accordance with any docket control order entered in the case or as otherwise required by the Federal Rules of Civil Procedure.

REQUEST FOR PRODUCTION NO. 3.:

Any and all documents, demonstrative evidence, learned treatises, authorities, photographs, graphs, charts, artist's renderings, audio recordings, video recordings, business records, deposition transcripts and excerpts, and/or visual aids which you will or may seek to introduce into evidence during the trial of this litigation.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff further objects because a premature request for an Exhibit List violates the work product privilege.

Plaintiff further objects that the request is vague, ambiguous and overly broad. Plaintiff further objects that this request constitutes an impermissible "fishing expedition" and requires Plaintiff to marshal all evidence.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 4.:

All documents that you provided to Defendants at any time.

RESPONSE:

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant, including pay records, as well as documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive.

REQUEST FOR PRODUCTION NO. 5.:

All documents that you received or took from Defendants at any time.

RESPONSE:

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant, including pay records, as well as documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive.

REQUEST FOR PRODUCTION NO. 6.:

All documents, including but not limited to all e-mails, correspondence, and any communications, that relate to any event or circumstance which you contend caused or contributed in any way to the injuries and/or damages you claim in this lawsuit.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Plaintiff further objects that this request constitutes an impermissible "fishing expedition" and requires Plaintiff to marshal all evidence.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant, including pay records, as well as documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 7.:

All documents, including but not limited to all e-mails, correspondence, and any communications, that relate to any event or circumstance which you contend caused or contributed in any way to the injuries and/or damages you claim were suffered by anyone whom you contend is similarly situated to you.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege. Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Plaintiff further objects that this request constitutes an impermissible "fishing expedition" and requires Plaintiff to marshal all evidence.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant, including pay records, as well as documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 8.:

All of your diaries, daytimers, personal notes and/or calendars, or other similar documents in which you have recorded and/or planned any of the events in your life from September 17, 2007, until the present.

RESPONSE:

Plaintiff objects that the request seeks information that is irrelevant, and that the request is harassing and not reasonably calculated to lead to the discovery of admissible evidence.

Plaintiff further objects to this request because it violates Plaintiff's privacy.

REQUEST FOR PRODUCTION NO. 9.:

All documents that evidence in any way how you spent your work time for Wells Fargo and/or Wachovia at any time between September 17, 2007 and the present.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession, including but not limited to building access records, emails, facsimiles, telephone records, parking access records, and computer records, among others. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 10.:

All documents concerning the number of hours you claim to have worked during each week of your employment with Wells Fargo and/or Wachovia.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession, including but not limited to building access records, emails, facsimiles, telephone records, parking access records, and computer records, among others. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive.

REQUEST FOR PRODUCTION NO. 11.:

All documents reflecting or concerning any vacation, sick time, PTO, personal days, or other leaves you took during your employment with Wells Fargo and/or Wachovia, without regard to whether such time off was paid or unpaid.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession, including but not limited to building access records, emails, facsimiles, telephone records, parking access records, and computer records, among others. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive.

REQUEST FOR PRODUCTION NO. 12.:

All documents that relate to, refer to, or describe in any way the amount of wages or other income you earned from any source during the period you were employed by Wells Fargo and/or Wachovia.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents (including pay records and W-2s) are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Plaintiff further objects that the request seeks information that is irrelevant, and that the request is harassing and not reasonably calculated to lead to the discovery of admissible evidence and invades Plaintiff's privacy, particularly as it relates to pay/income records from other sources of income, if any.

Plaintiff further objects that the request is vague, ambiguous and overly broad. Plaintiff further objects that this request constitutes an impermissible "fishing expedition" and requires Plaintiff to marshal all evidence.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant, including pay records, as well as documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive.

REQUEST FOR PRODUCTION NO. 13.:

All documents that refer to or describe your performance, or failure to perform, your duties as an employee of Wells Fargo and/or Wachovia, including, but not limited to, job evaluations and or performance appraisals of you by any employee of Wells Fargo and/or Wachovia.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 14.:

All documents relating to your contention that you were entitled to overtime pay for any work your performed for Defendants for any period of time between September 17, 2007 and the present.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant, including pay records, as well as documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 15.:

All documents that refer to any income, compensation, or employee benefits received by you from any source during the period you were employed by Wells Fargo and/or Wachovia.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents (including pay records and W-2s) are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Plaintiff further objects that the request seeks information that is irrelevant, and that the request is harassing and not reasonably calculated to lead to the discovery of admissible evidence and invades Plaintiff's privacy, particularly as it relates to pay/income records from other sources of income, if any.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant, including pay records and 401K documents, as well as documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive.

REQUEST FOR PRODUCTION NO. 16.:

All documents that evidence, memorialize, or reflect the number of hours you worked for Wells Fargo and/or Wachovia from September 17, 2007 and to the present.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession, including but not limited to building access records, emails, facsimiles, telephone records, parking access records, and computer records, among others. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, as well as job descriptions posted by Defendant on the internet.

REQUEST FOR PRODUCTION NO. 17.:

All pay stubs, leave statements, earnings statements, and W-2 forms pertaining to you for the period you were employed by Wells Fargo and/or Wachovia.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents (including pay records and W-2s) are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Plaintiff further objects that the request seeks information that is irrelevant, and that the request is harassing and not reasonably calculated to lead to the discovery of admissible evidence and invades Plaintiff's privacy, particularly as it relates to pay/income records from other sources of income, if any.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant, including pay records, as well as documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive.

REQUEST FOR PRODUCTION NO. 18.:

All documents that relate to or constitute communications between you and any current or former employee of Defendants relating to your employment with Wells Fargo and/or Wachovia.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

In particular, but without limiting the foregoing, Plaintiff objects to the production of any communications between or among Plaintiffs or opt-in Plantiffs or putative class members pertaining to this lawsuit, pursuant to the work-product doctrine, investigative privilege, joint defense privilege, community of interest privilege, common interest privilege, and to the extent copied to or forwarded from their attorneys or encompassing information provided to or by their attorneys, the attorney-client communication privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Plaintiff further objects that the request seeks information that is irrelevant, and that the request is harassing and not reasonably calculated to lead to the discovery of admissible evidence.

Plaintiff further objects that the request is vague, ambiguous and overly broad. Plaintiff further objects that this request constitutes an impermissible "fishing expedition" and requires Plaintiff to marshal all evidence.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive.

REQUEST FOR PRODUCTION NO. 19.:

All documents that relate to or constitute communications between you, the United States Department of Labor, any state department of labor or equivalent state agency, any other administrative agency, or any other person (other than your counsel in this case) relating to your employment with Wells Fargo and/or Wachovia.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

In particular, but without limiting the foregoing, Plaintiff objects to the production of any communications between or among Plaintiffs or opt-in Plantiffs or putative class members pertaining to this lawsuit, pursuant to the work-product doctrine, investigative privilege, joint defense privilege, community of interest privilege, common interest privilege, and to the extent copied to or forwarded from their attorneys or encompassing information provided to or by their attorneys, the attorney-client communication privilege.

Plaintiff further objects to the extent materials have been collected by Plaintiff's counsel through their investigation, since such documents are attorney work product gathered for this litigation alone, and a description of those records, if any, would necessarily reveal Plaintiff's counsel's thought process and reveal Plaintiff's counsel's litigation strategy.

REQUEST FOR PRODUCTION NO. 20.:

All documents that relate to any other lawsuit that you have filed or has been filed on your behalf.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff further objects that the request seeks information that is irrelevant, and that the request is harassing and not reasonably calculated to lead to the discovery of admissible evidence.

Plaintiff further objects that the request is vague, ambiguous and overly broad. Plaintiff further objects that this request constitutes an impermissible "fishing expedition" and requires Plaintiff to marshal all evidence.

Moreover, as Defendant is aware, Plaintiff worked for both Wachovia and Wells Fargo, resulting in an additional lawsuit. Defendant is already privy to the records in that other case, and Plaintiff objects to producing records already in Defendants' possession.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 21.:

All documents that relate to any other administrative action that you have filed or has been filed on your behalf.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff further objects that the request seeks information that is irrelevant, and that the request is harassing and not reasonably calculated to lead to the discovery of admissible evidence.

Plaintiff further objects that the request is vague, ambiguous and overly broad. Plaintiff further objects that this request constitutes an impermissible "fishing expedition" and requires Plaintiff to marshal all evidence.

Moreover, as Defendant is aware, Plaintiff worked for both Wachovia and Wells Fargo, resulting in an additional lawsuit. Defendant is already privy to the records in that other case, and Plaintiff objects to producing records already in Defendants' possession.

REQUEST FOR PRODUCTION NO. 22.:

All documents that record or refer to any internal grievances, complaints, or reports filed by you during your employment with Wells Fargo and/or Wachovia.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive.

REQUEST FOR PRODUCTION NO. 23.:

All witness statements or declarations you have obtained from any witness in this action, including but not limited to statements or declarations of putative class members or current or former employees of Wells Fargo and/or Wachovia.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

In particular, but without limiting the foregoing, Plaintiff objects to the production of any communications between or among Plaintiffs or opt-in Plantiffs or putative class members pertaining to this lawsuit, pursuant to the work-product doctrine, investigative privilege, joint defense privilege, community of interest privilege, common interest privilege, and to the extent copied to or forwarded from their attorneys or encompassing information provided to or by their attorneys, the attorney-client communication privilege.

Please also see documents, including Declarations, filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 24.:

All documents that constitute, record, or refer to communications between you and any current or former employee of Defendants regarding the allegations in this action.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

In particular, but without limiting the foregoing, Plaintiff objects to the production of any communications between or among Plaintiffs or opt-in Plantiffs or putative class members pertaining to this lawsuit, pursuant to the work-product doctrine, investigative privilege, joint defense privilege, community of interest privilege, common interest privilege, and to the extent copied to or forwarded from their attorneys or encompassing information provided to or by their attorneys, the attorney-client communication privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive.

REQUEST FOR PRODUCTION NO. 25.:

All notes and any other documents prepared by you that relate to, concern, pertain, support, or establish, or upon which you rely in making the claims alleged in the Complaints.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

In particular, but without limiting the foregoing, Plaintiff objects to the production of any communications between or among Plaintiffs or opt-in Plantiffs or putative class members pertaining to this lawsuit, pursuant to the work-product doctrine, investigative privilege, joint defense privilege, community of interest privilege, common interest privilege, and to the extent copied to or forwarded from their attorneys or encompassing information provided to or by their attorneys, the attorney-client communication privilege.

Also in particular, but without limiting the foregoing, notes by any Plaintiff or opt-in Plaintiff made regarding this litigation and for purposes of this litigation, if any, are protected by the attorney-client communication privilege and work-product privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive.

REQUEST FOR PRODUCTION NO. 26.:

All documents that relate to any policies and/or practices of Defendants that you contend caused or contributed in any way to your alleged damages.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 27.:

All documents that describe your job responsibilities or work experience in connection with your employment at Wells Fargo and/or Wachovia, including but not limited to all resumes, letters, employment applications, faxes, or e-mails you have prepared.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Plaintiff further objects that the request seeks information that is irrelevant, and that the request is harassing and not reasonably calculated to lead to the discovery of admissible evidence.

Plaintiff further objects that the request is vague, ambiguous and overly broad to the extent it refers to "work experience". Plaintiff further objects that this request constitutes an impermissible "fishing expedition" and requires Plaintiff to marshal all evidence.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 28.:

All documents that evidence, memorialize, or reflect the job title(s) and positions you held during your employment with Wells Fargo and/or Wachovia.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

REQUEST FOR PRODUCTION NO. 29.:

All documents that you received from Defendants at any time that describe your job duties with Wells Fargo and/or Wachovia, including but not limited to job descriptions.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 30.:

All documents that evidence, reflect, or memorialize the hours you were scheduled to work for Wells Fargo and/or Wachovia.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 31.:

All documents that you received from Defendants at any time that evidence, reflect, or memorialize the hours you worked for Wells Fargo and/or Wachovia.

RESPONSE:

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 32.:

All documents you received from Defendants at any time that refer or relate to, summarize, or reflect Wells Fargo's and/or Wachovia's policies and/or procedures for recording hours worked.

RESPONSE:

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 33.:

All documents you received from Defendants at any time that refer or relate to, summarize, or reflect Wells Fargo's and/or Wachovia's policies and/or procedures regarding the payment of overtime wages.

RESPONSE:

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced within the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 34.:

All documents that evidence the amount of time you spent performing marketing activities or other work for Wells Fargo and/or Wachovia before or after your regularly-scheduled workday.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 35.:

All documents that evidence the amount of time you spent performing marketing activities or other work for Wells Fargo and/or Wachovia on a weekend day that was not your regularly-scheduled workday.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 36.:

All documents that evidence any amount of time you contend you performed work for Defendants for which you were not compensated.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 37.:

All documents related to your participation or enrollment in any academic program during your employment with Wells Fargo and/or Wachovia, including but not limited to your class schedules and class location.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff further objects that the request seeks information that is irrelevant, and that the request is harassing and not reasonably calculated to lead to the discovery of admissible evidence.

Plaintiff further objects that the request is vague, ambiguous and overly broad. Plaintiff further objects that this request constitutes an impermissible "fishing expedition" and requires Plaintiff to marshal all evidence.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

REQUEST FOR PRODUCTION NO. 38.:

All documents that support or relate to your contention, if any, that any alleged violation by Defendants of the FLSA was not in good faith or otherwise done with a reasonable grounds for believing that any act or omission was not a violation of the FLSA.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 39.:

All documents that support or relate to your contention, if any, that any alleged violation by Defendants of the FLSA was not in conformity with and in reliance on a written administrative regulation, order, ruling, approval, interpretation, administrative practice, or policy of the United States Department of Labor.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.
Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 40.:

All documents that evidence any work performed for Wells Fargo and/or Wachovia by other current or former employees of Wells Fargo and/or Wachovia with whom you claim to be similarly situated and for which you contend those individuals were not compensated.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 41.:

All documents which relate to, bear upon, or provide evidence relating to any claim for damages set forth in the Complaints to which you claim to be entitled, including (but not limited to) any evidence of unpaid wages, unpaid overtime compensation, lost benefits, diminished earning capacity, mental anguish, punitive damages, liquidated damages, attorneys' fees, and/or any other element of claimed damages.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 42.:

Records and receipts for all costs you have paid to bring and maintain this legal action.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Subject to and without waiving the foregoing objections, at the appropriate time, Plaintiff will produce redacted fee bills and redacted expense and cost information.

REQUEST FOR PRODUCTION NO. 43.:

Your fee agreement with your lawyers in this case, and all other documents relating to your claim for attorneys' fees in this case.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Subject to and without waiving the foregoing objection, Plaintiff has agreed to pay his attorneys a 40% attorneys fee.

REQUEST FOR PRODUCTION NO. 44.:

All documents concerning or constituting any communications you received from Wills Law Firm, Padilla, Rodriguez & De La Garza, L.L.P., and/or Krakower DiChiara LLC and/or any other partner, employee, agent or representative of Wills Law Firm, Padilla, Rodriguez & De La Garza, L.L.P., and/or Krakower DiChiara LLC prior to your signing or filing a consent to join this lawsuit, including but not limited to solicitations to join this lawsuit.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery:

(a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

REQUEST FOR PRODUCTION NO. 45.:

All documents that you relied upon in responding to Defendant's First Set of Interrogatories or which support or relate to your answers to Defendant's First Set of Interrogatories.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 46.:

All documents identified in your Rule 26(a)(1) disclosures.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 47.:

Any other documents that support or relate to the allegations in the Complaints.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Plaintiff further objects that this request constitutes an impermissible "fishing expedition" and requires Plaintiff to marshal all evidence.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 48.:

Any and all other documents that contain notations, information, evidence or references relating in any manner to your allegations against Defendants that is not covered by the foregoing requests.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Plaintiff further objects that this request constitutes an impermissible "fishing expedition" and requires Plaintiff to marshal all evidence.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 49.:

All documents that support or relate to your contention in Paragraph 4.15 of the Complaint that "Defendants implemented a policy or practice with respect to Plaintiffs as follows: (i) Plaintiffs generally were only paid for their scheduled shift time."

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 50.:

All documents that support or relate to your contention in Paragraph 4.15 of the Complaint that "Defendants implemented a policy or practice with respect to Plaintiffs as follows: … (ii) Plaintiffs were not paid for work they performed before their scheduled shift began, during their unpaid meal breaks, and after the end of their scheduled shifts."

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 51.:

All documents that support or relate to your contention in Paragraph 4.15 of the Complaint that "Defendants implemented a policy or practice with respect to Plaintiffs as follows: … (iii) Plaintiffs were required to open the branch and close the branch, and they were not paid for this time when it was not included in their schedule, which was most of the time."

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 52.:

All documents that support or relate to your contention in Paragraph 4.15 of the Complaint that "Defendants implemented a policy or practice with respect to Plaintiffs as follows: … (iv) Plaintiffs were required to work through lunch, and they were not paid for this time."

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 53.:

All documents that support or relate to your contention in Paragraph 4.15 of the Complaint that "Defendants implemented a policy or practice with respect to Plaintiffs as follows: … (v) Plaintiffs were required to spend time outside the branch and beyond their scheduled shift to market Defendants' financial products and develop business, and they were not paid for time spent performing these duties."

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 54.:

All documents that support or relate to your contention in Paragraph 8.9 of the Complaint that "Defendants have failed to maintain accurate employee records."

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 55.:

All documents that support or relate to your contention in Paragraph 8.10 of the Complaint that "No exemption excused Defendants from paying Plaintiffs overtime pay and all wages owed for all the hours worked over forty per work week."

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 56.:

All documents that support or relate to your contention in Paragraph 8.11 of the Complaint that "Defendants' violations as described herein constitute willful violations."

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 57.:

All documents that support or relate to your contention in Paragraph 8.19 of the Complaint that "[s]uch conduct constitutes a willful violation of the FLSA."

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 58.:

All documents that support or relate to your contention in Paragraph 8.31 of the Complaint that "Wells Fargo's violations as described herein constitute willful violations."

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 59.:

All documents that support or relate to your contention in Paragraph 8.42 of the Complaint that "Wells Fargo's violations as described herein constitute willful violations."

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 60.:

All documents that support or relate to your contention in Paragraph 8.49 of the Complaint that "[s]uch conduct constitutes a willful violation of the FLSA."

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Subject to and without waiver of the foregoing objections, see the documents produced by Defendant and/or are in Defendant's possession. Please also see documents produced in the *Fernandez* and *Scutts* cases, to the extent responsive, and the job descriptions posted by Defendant on the internet.

Please also see documents filed in support of Plaintiffs' Motions for Rule 23 Class Certification and Motion for FLSA Conditional Certification in the *Scutts* and *Fernandez* cases.

REQUEST FOR PRODUCTION NO. 61.:

A copy of your Facebook profile using Facebook's "Downloading Your Info" feature, including but not limited to all updates, changes or modifications to your profile, all status updates, timeline, profile or wall comments, all "mailbox" messages, all photo albums, causes joined, groups joined, notes, activity streams, blog entries and applications from September 17, 2007.

RESPONSE:

Plaintiff objects that the request seeks information that is irrelevant, and that the request is harassing and not reasonably calculated to lead to the discovery of admissible evidence.

Plaintiff further objects to this request because it violates Plaintiff's privacy.

REQUEST FOR PRODUCTION NO. 62.:

A copy of your Twitter profile using Twitter's "Downloading Your Twitter Archive" feature, including but not limited to all updates, changes or modifications to your profile, all status updates, tweets, posts, retweets, connections, messages, photos, causes joined, groups joined, notes, activity streams, and list of your following and followers from September 17, 2007, 2005.

RESPONSE:

Plaintiff objects that the request seeks information that is irrelevant, and that the request is harassing and not reasonably calculated to lead to the discovery of admissible evidence.

Plaintiff further objects to this request because it violates Plaintiff's privacy.

Plaintiff further objects to this request because it is overly broad and unlimited as to subject matter and is therefore beyond the proper form and scope of discovery.

REQUEST FOR PRODUCTION NO. 63.:

A copy of any and all other social medial website profiles, including any and all electronic messages, text messages, internet posts.

RESPONSE:

Plaintiff objects that the request seeks information that is irrelevant, and that the request is harassing and not reasonably calculated to lead to the discovery of admissible evidence.

Plaintiff further objects to this request because it violates Plaintiff's privacy.

Plaintiff further objects to this request because it is overly broad and unlimited as to subject matter and is therefore beyond the proper form and scope of discovery.

REQUEST FOR PRODUCTION NO. 64.:

All correspondence, including e-mails sent by you or to you under your legal name, anonymously, or under an assumed name, concerning your allegations in the Complaints.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff objects that the requested documents are readily available to Defendant and are already in the constructive possession of Defendant and would be equally obtainable and accessible to Defendant.

Plaintiff further objects that the request seeks information that is irrelevant, and that the request is harassing and not reasonably calculated to lead to the discovery of admissible evidence and invades Plaintiff's privacy, particularly as it relates personal e-mails, if any.

Plaintiff further objects that the request is vague, ambiguous and overly broad. Plaintiff further objects that this request constitutes an impermissible "fishing expedition" and requires Plaintiff to marshal all evidence.

Plaintiff further objects to this request because it is overly broad and unlimited as to subject matter and is therefore beyond the proper form and scope of discovery.

REQUEST FOR PRODUCTION NO. 65.:

Any and all phone records or copies of phone records from any and all of your personal phone numbers (including phone numbers for both land lines and mobile devices) from September 17, 2007 through the termination of your employment with Wells Fargo and/or Wachovia.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff further objects that the request seeks information that is irrelevant, and that the request is harassing and not reasonably calculated to lead to the discovery of admissible evidence and invades Plaintiff's privacy, particularly as it relates personal phone records, if any.

Plaintiff further objects that the request is vague, ambiguous and overly broad. Plaintiff further objects that this request constitutes an impermissible "fishing expedition" and requires Plaintiff to marshal all evidence.

REQUEST FOR PRODUCTION NO. 66.:

Any and all complete billing statements or copies of complete billing statements from any and all of your personal phone numbers (including phone numbers for both land lines and mobile devices) from September 17, 2007 through the termination of your employment with Wells Fargo and/or Wachovia. You can obtain this information, if necessary, from your phone service provider.

RESPONSE:

Plaintiff objects to this request to the extent that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) the joint defense privilege, (e) community of interest privilege; (f) common interest privilege; (g) settlement negotiations privilege; and/or (h) any other privilege.

Plaintiff further objects that the request seeks information that is irrelevant, and that the request is harassing and not reasonably calculated to lead to the discovery of admissible evidence and invades Plaintiff's privacy, particularly as it relates personal phone records, if any.

Plaintiff further objects that the request is vague, ambiguous and overly broad. Plaintiff further objects that this request constitutes an impermissible "fishing expedition" and requires Plaintiff to marshal all evidence.

Dated: January 22, 2014
Houston, Texas

Respectfully submitted,

By:/s/ Rhonda H. Wills

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CERTIFICATE OF SERVICE

I, the undersigned counsel, hereby certify that on January 22, 2014, I served the foregoing document on the following counsel *via* certified mail return receipt requested.

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